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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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LAW OFFICES OF PATRICK J.S. INOUE  
810 THIRD AVE  
STE. 258  
SEATTLE, WA 98104

EXAMINER

BOCKELMAN, MARK

ART UNIT PAPER NUMBER

3766

DATE MAILED: 11/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

***Response to Amendment***

The reply filed on August 12, 2005 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant has not provided the examiner with an election of which group applicant wishes to have prosecuted. Applicant needs to identify which group from the *examiner's original grouping* he wishes to prosecute and then present arguments as to which other claims should be included.

As a side note, it is noted that applicant wishes for the examiner to group apparatus claims that recite an "implantable device" as an intended use along with method claims that actually require the use of an implantable device. If applicant wishes to tie these claims closer together for purposes of traversal he should recite the implantable device in the apparatus claim(s).

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark W. Bockelman whose telephone number is (571) 272-4941. The examiner can normally be reached on Monday - Friday 10:00 to 6:30.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272 -6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MWB

October 29, 2005

  
MARK BOCKELMAN  
PRIMARY EXAMINER